

ORDINANCE NO. 2005-04

AN ORDINANCE OF THE TOWN OF SILVERTON, COLORADO ACCEPTING THE CONVEYANCE OF A PORTION OF THE STANLEY PLACER TO THE TOWN AS FULL COMPLIANCE WITH ALL REQUIREMENTS FOR THE DEDICATION OF LAND UNDER SECTION 7-4-7 OF THE TOWN CODE FOR ANY DEVELOPMENT OF THE STANLEY PLACER.

WHEREAS, the Owner of a portion of the Stanley Placer as described on Attachment A (The Stanley Placer) has proposed certain development plans for that property, and

WHEREAS, the Owner is required to make certain dedications of land to the Town as part of the approval of any development, and

WHEREAS, the Owner has agreed to convey a parcel of property to the Town in advance of the development approval to assist the Town and the County in the construction of a pre-school since the described parcel is appropriate for use as a pre-school, and

WHEREAS, the Town has agreed that the conveyance will be accepted as full satisfaction of any dedication requirement in the Town Code that may arise from the current or future development of the Stanley Placer, and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVERTON AS FOLLOWS:

1. Pursuant to the provisions of section 7-4-7 of the Town Code, the Board of Trustees hereby accepts the conveyance of the parcel of property further described on Attachment A, attached hereto and incorporated herein, which parcel contains approximately ten thousand, one hundred, seventy-one square feet. The Board finds that and agrees that the conveyance and dedication complies with the Town code and is accepted as full compliance with and in full satisfaction of any and all requirements for the public dedication of land or cash payments in lieu thereof associated with the subdivision or development of the Stanley Placer property.
2. The said property is to be leased to the County for the construction and operation of a preschool and the property shall continue to be used for that or for another public purpose.

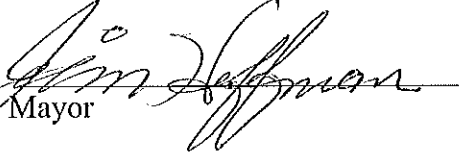
Adopted and ordered published this 27th day of June, 2005.

TOWN OF SILVERTON

Attest:


Town Clerk-Treasurer

by:


Mayor

ATTACHMENT A

PROPERTY DESCRIPTION

A parcel of land being a portion of the Stanley Placer, Mineral Survey No. 1059 (Court Decree Case No. 2000-CV-008) located in Township 41 North, range 7 West of the New Mexico Principal Meridian, Town of Silverton, San Juan County, Colorado, being more particularly described as follows:

COMMENCING at Corner No. 3 of the Stanley Placer whence the northwesterly corner of grantor's tract bears N 50°55'00" W, a distance of 319.74 feet (319.61 feet as shown on the plat of the Stanley Placer deposited with the San Juan County Surveyor as Map #110);

THENCE N 57°58'00" W, a distance of 224.43 feet to a point that is eighty (80.00) feet southwesterly of the northeasterly right of way of 16th Street being the POINT OF BEGINNING;

THENCE S 37°19'08" W along the extension of the southeasterly right of way of Blair Street, a distance of 115.00 feet;

THENCE N 52°41'32" W, a distance of 114.24 feet;

THENCE N 36°55'15" E along a line parallel with and twenty (20.00) feet southeasterly of the northwesterly line of grantor's tract as defined by monuments set by LS 23498, a distance of 37.25 feet;

THENCE S 54°19'05" E along a line parallel with and forty (40.00) feet southwesterly of the northeasterly line of grantor's tract as defined by monuments set by LS 23498, a distance of 38.99 feet;

THENCE N 37°00'32" E along a line parallel with and twenty (20.00) feet southeasterly of the northwesterly line of grantor's tract as defined by monuments set by LS 23498, a distance of 76.65 feet;

THENCE S 52°41'32" E along a line parallel with and eighty (80.00) feet southwesterly of the northeasterly right of way of 16th Street, a distance of 75.95 feet to the POINT OF BEGINNING.

Said parcel contains 10171 square feet or 0.233 acres, more or less.

SURVEYORS STATEMENT

I, David O. Freienmuth, a Registered Professional Land Surveyor in the State of Colorado, do hereby state that this description was made under my direct supervision and checking, is in accordance with applicable standards of practice and that it is true and correct to the best of my knowledge and belief.

David O. Freienmuth, Registered Professional Land Surveyor
P.L.S. 32437

Date: 18 JUNE 05

For and on behalf of Armas Surveying & Mapping, Corporation
P.O. Box 497, Durango, CO 81302
970-385-6891

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